

Commodity Credit Corporation, USDA

§ 1439.4

Kind/type	Weight range	Daily energy requirement	Allowance/day in lbs. of corn
Swine	125+	2867 DE	1.9
Swine, sow	235+	9854 DE	6.5
Swine, boar	235+	5446 DE	3.7
(5) Sheep:			
Sheep	Less than 44	315 NE _m	.4
Sheep	44-82	718 NE _m	.9
Sheep	83+	973 NE _m	1.1
Sheep, ewe	150+	1420 NE _m	3.1
Sheep, ram	150+	1556 NE _m	1.7
(6) Goats: Mcals			
Goats	Less than 4470 DE _m	.5
Goats	44-82	1.59 DE _m	1.1
Goats	83+	2.16 DE _m	1.5
Goats, doe	125+	5.3 DE _m	3.5
Goats, doe, dairy 1994 and subsequent crop years	125+	7.6 DE _m	5.2
Goats, buck	125+	3.01 DE _m	2.1
(7) Poultry: Kcals			
Poultry	Less than 3.0	150 ME	.1
Poultry	3.0-7.9	375 ME	.2
Poultry	8.0+	638 ME	.45

Consideration has been given for fetal development, lactation, as applicable, in meeting daily energy requirements for maintenance. Weight ranges and energy requirements shall not be established for fish used for commercial food production but a feed allowance shall be computed in accordance with § 1439.6 of this subpart.

[56 FR 33192, July 19, 1991, as amended at 58 FR 62512, Nov. 29, 1993]

§ 1439.4 Program availability.

(a) Whenever the Governor of a State determines that a livestock feed emergency due to a natural disaster exists in a State, or an area of the State, or a county committee determines that such an emergency exists in the county or area within the county, the Governor or the county committee may submit a request for a determination by the Secretary of a livestock feed emergency in the State, county, or area thereof and for emergency livestock feed assistance under this part. Any request for a determination that a livestock emergency exists because of a slow developing natural disaster such as a drought must be submitted by October 31 of the current crop year. A determination that a livestock emergency due to natural disaster exists may also be made for a State, county or area thereof by the Secretary, whether or not a request for assistance is submitted. The request of a Gov-

ernor or county committee for a livestock feed emergency determination and for emergency livestock feed assistance shall include recommendations to the Secretary of those options that will fully use feed available through local sources. The request of the Governor must specify the names of the counties for which assistance is requested. The request submitted by a county committee for a livestock feed emergency determination must be submitted to the State committee and must contain:

(1) A County Feed Loss Assessment Report, Form CCC-654;

(2) The rainfall data by month expressed in inches and percent of normal for the current calendar year and the two previous calendar years if the request is due to the occurrence of drought or excess moisture;

(3) The type of assistance requested; and

(4) A report of an on-site visit by the county committee and a State committee representative stating existing production conditions.

(b) The State committee shall forward such a request with a recommendation of whether the request should be approved to DASCO.

(c) The Executive Vice President, CCC, or his designee shall make a final determination as to whether a livestock feed emergency exists not later

than 30 days after receipt of any request made in accordance with paragraph (a) of this section and shall notify the Governor or the county committee of such determination as applicable and the livestock feed programs authorized to be implemented.

(d) Owners in any county contiguous to a county that has been designated as a livestock feed emergency county shall be eligible to receive emergency livestock feed assistance under this part, except for the Crash Feed Grain Donation Program and Livestock Feed Donation Program, at any time during the 8-month period beginning on the date on which the emergency was determined exists in the other county.

§ 1439.5 Owner eligibility.

Subject to the terms and conditions in this part, an owner, including an Indian tribal member owner who is participating in the Indian Acute Distress Donation Program (IADDP), may be approved to participate in a program established in accordance with this part.

§ 1439.6 Eligibility for assistance.

(a) Any owner of livestock may file a CCC-652 for participation in a program made available by CCC in an approved county. When a CCC-652 is filed, the owner or, a duly authorized representative of the owner, shall execute the certification contained on the CCC-652.

(b) The owner, or duly authorized representative of the owner, shall enter into a contract with CCC to receive assistance not to exceed the amount of eligibility determined on the CCC-653.

(c) A CCC-652 application worksheet and CCC-651 contract must be filed at the county FSA office in an approved county or in a county FSA office in a contiguous county.

(d)(1) The owner, or a duly authorized representative of an owner, shall:

(i) Furnish all the information specified on the CCC-652 and CCC-651;

(ii) Certify that the owner meets the requirements of the applicable program; and

(iii) Provide any other information which the approving official determines to be necessary to determine the owner's eligibility.

(2) Applications for assistance due to production losses because of a livestock feed emergency determined to exist for 1990 and subsequent livestock feed crop year disasters must be filed by December 31 of the year in which the disaster occurred.

(3) With respect to owners in a county contiguous to a county where a livestock feed emergency has been determined to exist, owners must file not later than the last day of the 8-month period beginning on the day the Secretary of Agriculture determines that a livestock feed emergency exists in the other county.

(e)(1) With respect to those programs which require that an eligible livestock owner must have suffered a substantial loss of production of feed, in determining whether a substantial loss of production of feed exists, the normal production of livestock feed and the current year livestock feed production harvested by the owner shall be converted to a monetary value based on established crop yields or the 5-year average yield of the crop excluding the high and low years, obtained from the National Agriculture Statistics Service (NASS). The amount of loss of livestock feed production shall be determined by CCC by comparing the monetary value of normal feed production produced on the owner's landholdings including leased land and any other land which is available for use by the owner to the monetary value of the actual livestock feed production harvested from such holdings. Loss of pasture production shall be based on the grazing value per acre of such pasture and the percent of loss for such acres. The owner must have suffered a substantial monetary value loss of feed normally produced by the owner to be eligible to participate in the emergency livestock feed programs.

(2) A substantial loss of production may, as determined by CCC, include feed stocks produced in the current crop year which were damaged or destroyed by a natural disaster while in storage. Feed stocks not totally destroyed shall be appraised by CCC on the basis of the remaining value of such stocks as livestock feed.

(3) For the 1990 emergency livestock feed program the determination of a